

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE
9

10 MARIO MARADIAGA BENAVIDEZ, aka
MARIO MARTINEZ-MORENO,
(Agency # 73-242-034),

11 Petitioner,

12 v.

13 ALBERTO GONZALES, Attorney General
of the United States; MICHAEL
CHERTOFF, Secretary of U.S. Department
of Homeland Security; EMILIO T.
GONZALEZ, Director, U.S. Citizenship and
Immigration Services; and A. NEIL
CLARK, Field Office Director of
Immigration and Customs Enforcement,

14 Respondents.

15 No. C07-00463-RSL-MAT

16 **JOINT STIPULATION EXTENDING
STAY**

17 On March 28, 2007, Petitioner filed a habeas petition seeking, among other things,
18 the issuance of a Form I-290C, release from custody, and a stay of removal. On March
19 29, the Court ordered the Defendants to show cause why the Petition should not be
20 granted. *See* Dkt. No. 3. Defendants subsequently received an extension of time to
21 respond to the order. *See* Dkt. No. 13.

22 On April 30, 2007, the United States Citizenship and Immigration Services issued
23 a Form I-290C. On May 14, 2007, the Court stayed the proceedings to allow for a
24 custody determination to be made. *See* Dkt. 17. On May 15, 2007, Petitioner was
25 released on bond.

1 The parties now respectfully request that the proceedings continue to be stayed for
2 a period of 30 days in light of the fact that Petitioner's I-246 stay application remains
3 pending in the immigration proceedings, and no determination has been made yet on the
4 application. Therefore, the parties, by and through their respective attorneys, hereby
5 STIPULATE, AGREE, and JOINTLY REQUEST that the proceedings be stayed for a
6 period of 30 days from the date that this order is entered, and that the Defendants have
7 until that time to show cause and to respond to the Petition.

8 Dated this 21st day of May, 2007.
9

10 JEFFREY C. SULLIVAN
11 United States Attorney

12 /s/ Thomas M. Woods
13 THOMAS M. WOODS
14 Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4073
E-mail: thomas.woods2@usdoj.gov
17 Attorneys for Defendants

GIBBS HOUSTON PAUW

12 /s/ Robert H. Gibbs
13 Robert H. Gibbs
14 GIBBS HOUSTON PAUW
1000 Second Avenue, Suite 1600
Seattle, Washington 98104
Phone: 206-682-1080
Fax: 206-689-2270
E-mail: rgibbs@ghp-law.net
17 Attorneys for Plaintiff

18 **ORDER**

19 The parties having so stipulated, the above is **SO ORDERED**. The Clerk is
20 directed to send copies of this Order to all counsel of record.

21 DATED this 22nd day of May, 2007.

22 

23 Robert S. Lasnik
24 United States District Judge

25 Recommended for Entry
26 this 21st day of May, 2007.

27 s/ Mary Alice Theiler
28 United States Magistrate Judge